Delhi Apartment Ownership Act, 1986

153. SHRI LAJPAT RAI: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) the present status of Delhi Apartment Ownership Act, 1986;

(b) whether it has been implemented in letter and spirit, if not, why;

(c) whether Government have a firm mind to implement the same, if so, by when;

(d) whether it would be implemented in its present form or certain amendments are contemplated; and

(e) if so, the details of nature of amendments?

THE MINISTER OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI JAGMOHAN): (a) to (e) The Delhi Apartment Ownership Bill, 1986 received the assent of the President on 23rd December, 1986 and was published in the Official Gazette on the same date. The Administrator viz. Lt. Governor of Delhi appointed 1.12.1987 as the date on which the Act came into force.

The Delhi Apartment Ownership Act, 1986 failed to elicit a favourable response from lease administrating agencies, promoters and flat-owners in apartment buildings. There were certain anomalies regarding the Rule making power under the Act and there were also certain shortcomings, which rendered the Act inoperable. Moreover, in the absence of any penal provisions for non compliance, there were doubts about the enforceability of the Act. Immediately after the notification of the Act and the competent authority, the Delhi Administration and DDA raised certain points relating to the appointment of competent authority as defined in the Act.

It was felt that the Delhi Apartment Ownership act would require a complete overhaul in order to clarify certain provisions and provide for deterrent punishment for non-observance of obligations so as to make the Act effective. It was, therefore, felt that amendments were required due to growth of buildings with residential and commercial use and the consequent need to provide for an individual's title and effective management of undivided common interests and

services. Amendments to the Act were also necessitated by the requirements of flat purchasers, for securing housing finance, by the mortgage of title. The Government is considering whether to bring a legislation to amend the existing Act or to bring a new Bill altogether. Every effort is being made to finalise the matter in a month or so.

Rohini MIG Scheme, 1981 Delhi

154. SHRI RAJEEV SHUKLA: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether it is a fact that Rohini MIG Scheme for allotment of 30 square meters plots in Rohini, Delhi, was launched in 1981 but the scheme was not fully subscribed then;

(b) whether it is also a fact that the land earmarked for allotment of plots under the scheme has been diverted to other subsequent schemes, such as commercial complexes, flats, group housing etc; causing delay in allotment to original applicants;

(c) if so, the reasons therefor; and

(d) by when all original applicants are likely to get plots?

THE MINISTER OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI JAGMOHAN): (a) DDA in the year 1981 launched Rohini Residential Scheme for allotment of MIG, LIG and Janta Plots. As per the Scheme, the registrants of MIG Category were to be allotted plots of the size of 90 and 60 square meters. Under this scheme, 82,384 persons got themselves registered for allotment of plots including 9,669 persons for allotment of plots of 90 square meters under MIG category.

(b) and (c) No, Sir

(d) No definite time-frame can be given for allotment of plots to the remaining registrants at this stage. The process of acquisition of land has since been initiated by the Govt, of NCT of Delhi. As soon as the possession of the land so acquired is handed over to the DDA, further action for allotment or plots to die registrants will be taken after completing the process of development.